

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LARRY BARBER,

Plaintiff,

vs.

STEVE WILLIAMS, *et al.*,

Defendants.

Case No. 2:13-cv-00538-GMN-CWH

**ORDER**

This matter is before the Court on Plaintiff Larry Barber's Motion to Extend Prison Copywork Limit (#15), filed on September 23, 2013. Plaintiff is a prisoner in the custody of the Nevada Department of Corrections (NDOC). On July 8, 2013, Plaintiff was granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and instructed to file an amended complaint more fully articulating his claim. *See* Order (#6). On September 10, 2013, the Court entered its screening order finding that Plaintiff had pled facts sufficient to support a Section 1983 Fourth Amendment claim. *See* Screening Order (#11).

**DISCUSSION**

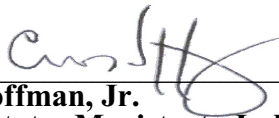
A prisoner does not have a right to free photocopying. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991); *Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1989) (stating "numerous courts have rejected any constitutional right to free and unlimited photocopying"). Nevada Department of Corrections Administrative Regulation 722 ("Inmate Legal Access") provides that "[c]opies of legal documents requested by inmates may be made for a nominal fee." Nevada Department of Corrections Administrative Regulation (NDOC AR) 722.01(9). "Inmates can only accrue a maximum of \$100 debt for copy work expenses for all cases, not per case." *See* NDOC AR 722.01(9)(D). Plaintiff acknowledges that he has exceeded his prison copy limit and requests that the Court order the NDOC to increase his copy work limit.

1 A court may order a prison to provide additional photocopying when the petitioner  
2 demonstrates that an increase is necessary for an inmate to provide copies to the court and other  
3 parties. *See Cf., Allen v. Clark County Detention Center*, 2011 WL 886343 \*2 (D. Nev.). Plaintiff  
4 has failed to demonstrate in the present motion that an increase is necessary. There is no indication  
5 that petitioner's prisoner account has insufficient funds for petitioner to replenish his copy work  
6 limit. In addition, Nevada prisons provide inmates with carbon paper to enable inmates to  
7 reproduce writings without the use of photocopies. *See* NDOC AR 702.01(9)(E) ("Carbon paper  
8 should be made available to any inmate who requests this item for legal purposes"). Accordingly,  
9 the Court will deny the motion to extend prison copywork limit (#15).

10 Based on the foregoing and good cause appearing therefore,

11 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Extend Copywork Limit (#15) is  
12 **denied.**

13 DATED this 1st day of October, 2013.

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16 **C.W. Hoffman, Jr.**  
17 **United States Magistrate Judge**  
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